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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

100725-46 / Kreisler 1114-KGB

First Inventor

Ekkehardt WEBER ET AL

Title

Immunomagnetic Separation of Specific Target Cells

Express Mail Label

EV 328767983 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification [Total Pages **30**]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **1**]

5. Oath or Declaration [Total Pages **1**]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number:

27384

or ☐ Correspondence address below

Name	KURT G. BRISCOE				
	NORRIS McLAUGHLIN & MARCUS, P.A.				
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	30TH FLOOR				
City	NEW YORK	State	NY	Zip Code	10017
Country	USA	Telephone	212-808-0700	Fax	212-808-0844

Name (Print/Type) WILLIAM C. GERSTENZANG

Registration No. (Attorney/Agent)

27,552

Signature

Date

September 9, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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10/658240

09/09/03

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FEE TRANSMITTAL for FY 2003 <i>Effective 01/01/2003. Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	To Be Assigned
		Filing Date	Herewith
		First Named Inventor	Ekkehardt WEBER et al.
		Examiner Name	To Be Assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	To Be Assigned
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No.	100725-46 / Kreisler 1114-KGB
\$1,516.00			

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account:		Large Entity Small Entity	
Deposit Account Number: 14-1263		Fee Code Fee (\$)	
Deposit Account Name: Norris McLaughlin & Marcus		Fee Description Fee Paid	
The Director is authorized to: (check all that apply)		1051 130 2051 65 Surcharge - late filing fee or oath	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet	
<input type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1053 130 1053 130 Non - English specification	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination	
FEE CALCULATION		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
1. BASIC FILING FEE		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
Large Entity Fee Code Fee (\$)		1251 110 2251 55 Extension for reply within first month	
Small Entity Fee Code Fee (\$)		1252 410 2252 205 Extension for reply within second month	
Fee Description Fee Paid		1253 930 2253 465 Extension for reply within third month	
1001 750 2001 375 Utility filing fee 750.00		1254 1,450 2254 725 Extension for reply within fourth month	
1002 330 2002 165 Design filing		1255 1,970 2255 985 Extension for reply within fifth month	
1003 520 2003 260 Plant filing fee		1401 320 2401 160 Notice of Appeal	
1004 750 2004 375 Reissue filing		1402 320 2402 160 Filing a brief in support of an appeal	
1005 160 2005 80 Provisional filing fee		1403 280 2403 140 Request for oral hearing	
SUBTOTAL (1) (\$)		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
\$750.00		1452 110 2452 55 Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND		1453 1,300 2453 650 Petition to revive - unintentional	
Extra Claims Fee from below Fee Paid		1501 1,300 2501 650 Utility issue fee (or reissue)	
Total Claims 47 -20** = 27 X 18.00 = 486.00		1502 470 2502 235 Design issue fee	
Independent Claims 3 - 3** = 0 X 84.00 = 0.00		1503 630 2503 315 Plant issue fee	
Multiple Dependent 280.00 = 280.00		1460 130 1460 130 Petitions to the Commissioner	
Large Entity Fee Code Fee (\$)		1807 50 1807 50 Processing fee under 37 CFR § 1.17(q)	
Small Entity Fee Code Fee (\$)		1806 180 1806 180 Submission of Information Disclosure Statement	
Fee Description Fee Paid		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20		1809 750 2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))	
1201 84 2201 42 Independent claims in excess of 3		1810 750 2810 375 For each additional invention to be examined (37 CFR § 1.129(b))	
1203 280 2203 140 Multiple dependent claim, if not paid		1801 750 2801 375 Request for Continued Examination (RCE)	
1204 84 2204 42 ** Reissue independent claims over original patent		1802 900 1802 900 Request for expedited examination of a design application	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		Other fee (specify)	
SUBTOTAL (2) (\$)		SUBTOTAL (3) (\$)	
\$766.00			
**or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Filing Fee Paid	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	WILLIAM C. GERSTENZANG	Registration No. (Attorney/Agent)	27,552
Signature		Telephone	212-808-0700
		Date	September 9, 2003

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Express Mail Label No. 328767983

100725-46/Kreisler 1114-KGB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO. : To Be Assigned
APPLICANTS : Ekkehardt WEBER et al
FILED : Herewith
FOR : Immunomagnetic Separation of Specific Target Cells
ART UNIT : To Be Assigned
EXAMINER : To Be Assigned

September 9, 2003

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450


TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Submitted herewith for entry and approval is one (1) sheet of formal drawings (Fig. 1) in the above-referenced application. Each sheet of drawing indicates the identifying indicia suggested in 37 CFR § 1.84(c).

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 

William C. Gerstenzang, Reg. No. 27,552
For Kurt G. Briscoe, Reg. No. 33,141

KGB/ja

Attachments: - Formal Drawings (1 sheet)

220 East 42nd Street - 30th Floor
New York, New York 10017
Phone: (212) 808-0700
Fax: (212) 808-0844

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as express mail in an envelope addressed to Mail Stop Patent Application; Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date September 9, 2003

By 

Jennifer Archer

APPLICANT: Ekkehardt WEBER et al

TITLE: Immunomagnetic Separation of Specific Target Cells

EXPRESS MAIL CERTIFICATE

“Express Mail” mailing label number EV 328767983 US

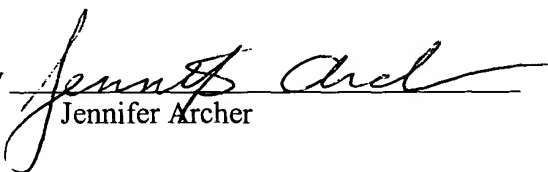
Date of Deposit September 9, 2003

I hereby certify that the following items:

1. Utility Patent Application Transmittal
2. Application Data Sheet
3. Fee Transmittal – **CHARGE DEPOSIT ACCOUNT**
4. Specification consisting of description (pages 21); 46 Claims (pages 22-29);
Abstract (page 30); One Sheet of Drawing (Fig. 1)
5. Transmittal of Formal Drawings – one sheet
6. Return Receipt Postcard

are being deposited with the United States Postal Services “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to the: Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 
Jennifer Archer